

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JEAN MILLER,

2:10-CV-1994 JCM (PAL)

Plaintiff,

V.

ALLAN R. GRIFFITH, et al.,

Defendants.

ORDER

Presently before the court is plaintiff Jean Miller's application for temporary restraining order, urging the court to reconsider the order (doc. #16) denying plaintiff's prior two applications (docs. #12, 13). (Doc. #21).

“Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.” *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993); see FED. R. CIV. P. 59(e); see also FED. R. CIV. P. 60(b).

Plaintiff's merely restates allegations from the prior two motions without addressing the court's concerns outlined in the February 24, 2011, order (doc. #16). Plaintiff has failed to present new evidence or allege a change in controlling law. Neither has plaintiff shown that the court committed clear error nor that the original decision to deny the request was manifestly unjust.

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IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion for
temporary restraining order (doc. #21) is hereby DENIED.

4 || DATED March 7, 2011.

Xelius C. Mahan
UNITED STATES DISTRICT JUDGE

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